

## PERMANENCY OPTIONS CHART

*This Permanency Options Chart provides an overview to guide your discussions with the DHS worker.*

FAQs	ADOPTION HRS §578	LEGAL GUARDIANSHIP HRS §560	PERMANENT CUSTODY HRS §587A	APPLA (Another Planned Permanent Living Arrangement) HRS §587A
<b>1. <i>What are the different permanency options?</i></b>	Adoption may be granted to an individual or married couple by the Family Court.	Legal guardianship may be awarded to an adult or more than one adult (married or unmarried) by the Family Court.  If the child is 14 years or older, the child must sign a consent.	Permanent custody may be awarded to DHS, a married couple, an unmarried couple, or an individual, by the Family Court.  Parental rights are terminated with the award of permanent custody. If the child is 14 years or older, the child must sign a consent.	When APPLA is chosen, permanent custody is awarded to DHS by the Family Court.
<b>2. <i>What would be the legal status of the child?</i></b>	The adoptive parent becomes the natural parent of the child.  The child is considered a natural child of the adoptive parent.	The legal guardian has the responsibilities of a parent.  The legal guardian's rights and responsibilities end when the child reaches age 18.	The permanent custodian has the responsibilities of a parent.  The permanent custodian's rights and responsibilities end when the child reaches age 18.	DHS as the permanent custodian has the responsibilities of a parent.  The permanent custodian's rights and responsibilities end when the child reaches age 18.

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3. <i>Can the status be changed?</i>	Adoption is permanent.	Legal guardianship continues until the child reaches age 18.	Permanent custody continues until the child reaches 18.	The child's permanent custody status will not change until adoption or legal guardianship.
4. <i>Who must be notified that I am seeking to provide permanent care for the child?</i>	<p>The Family Court terminates the parents' rights prior to the adoption hearing.</p> <p>A child over 10 years of age must also consent unless the Family Court finds it is in the child's best interest to proceed without the child's consent.</p>	<p>The child's parents will be notified by the Family Court if their parental rights have not been terminated.</p> <p>If the child is 14 years or older, the child must sign a consent.</p>	<p>Parental rights are terminated with the award of permanent custody to DHS.</p> <p>If the child is 14 years old or older, the child must consent to the permanent plan, unless the Family Court finds it is in the child's best interest to proceed without the child's consent.</p>	DHS as the permanent custodian will determine who to notify according to the type of permanency option (adoption, legal guardianship) that is being recommended for the child.
5. <i>Under each category of permanent care, what would be my responsibilities?</i>	The responsibilities of an adoptive parent are the same as the responsibilities of a parent, including consenting to name change, application for a driver's license, and marriage.	The legal guardian has the responsibilities of a parent, including consenting to name change, application for a driver's license, and marriage.	A permanent custodian has the responsibilities of a parent, including consenting to name change and application for driver's license.	DHS, as the permanent custodian, has the responsibilities of a parent, including consenting to name change and application for driver's license.

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<p><b>6. In what ways are Family Court and DHS still involved in these permanency options?</b></p>	<p>Upon adoption of the child, the Family Court and DHS closes its cases (a social worker is no longer assigned).</p> <p>If the adoptive parent receives adoption assistance payments, a DHS case is opened as a payment-only case.</p>	<p>Upon an award of legal guardianship, the Family Court and DHS closes its cases (a social worker is no longer assigned).</p> <p>If the legal guardian receives permanency assistance payments, a DHS case is opened as a payment-only case.</p>	<p>Family Court, the guardian ad litem, and DHS remain involved and a permanency hearing is held at least every six months.</p>	<p>Family Court, the guardian ad litem, and DHS remain involved and a permanency hearing is held at least every six months.</p>
<p><b>7. Will the Guardian ad Litem (GAL) still be involved?</b></p>	<p>The GAL will be dismissed when the adoption is final.</p>	<p>The Family Court may order that the guardian ad litem remain on the case to file an annual report with Family Court on the status of the child.</p>	<p>The GAL will be retained.</p>	<p>The GAL will be retained</p>
<p><b>8. Will I receive financial assistance?</b></p>	<p>The adoptive parent of an eligible child may receive adoption assistance, which includes medical coverage and youth support services, and difficulty of care payments. Clothing allowance is not provided, unless the child participates in the higher education program.</p>	<p>The legal guardian of an eligible child may receive permanency assistance, medical coverage, clothing allowance, and difficulty of care payments.</p> <p>If the legal guardian adopts the child, the child may qualify for adoption assistance.</p>	<p>The permanent custodian of an eligible child may receive permanency assistance, medical coverage, clothing allowance, and difficulty of care payments.</p>	<p>The permanent custodian of an eligible child may receive permanency assistance, medical coverage, clothing allowance, and difficulty of care payments.</p>

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9. <i>What about medical insurance for the child?</i>	DHS provides medical insurance.	DHS provides medical insurance.	DHS provides medical insurance.	DHS provides medical insurance.
10. <i>What can I do when I can no longer care for my child?</i>	Contact DHS to discuss available support services and options.	Contact DHS to discuss available support services and options.	Contact DHS to discuss available support services and options.	Contact DHS to discuss available support services and options.
11. <i>What role will the birth parents play in the child's life once the child is in my permanent care?</i>	<p>The birth parents are no longer legally responsible to pay child support once the adoption is granted.</p> <p>Contact between the child and birth parents is at the discretion of the adoptive parent.</p> <p>DHS supports maintaining birth family contact and connections when safe and appropriate.</p>	<p>The birth parents remain financially responsible to pay child support through the Child Support Enforcement Agency.</p> <p>The legal guardian is responsible for the care and safety of the child.</p> <p>DHS supports maintaining birth family contact and connections when safe and appropriate.</p>	<p>The birth parents remain financially responsible to pay child support through the Child Support Enforcement Agency.</p> <p>The permanent custodian is responsible for the care and safety of the child.</p> <p>DHS supports maintaining birth family contact and connections when safe and appropriate.</p>	<p>The birth parents remain financially responsible to pay child support through the Child Support Enforcement Agency.</p> <p>The permanent custodian is responsible for the care and safety of the child.</p> <p>DHS supports maintaining birth family contact and connections when safe and appropriate.</p>
12. <i>What would I have to pay for court and legal fees?</i>	DHS pays the legal fees.	DHS pays the legal fees.	DHS pays the legal fees.	DHS pays the legal fees.

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<p><b>13. Will the child be eligible for Imua Kākou when the child turns 18 years old?</b></p>	<p>Imua Kākou is available to the foster child who is in foster custody or permanent custody when he/she turns 18. If the foster child was 16 or older at the time of the adoption, he/she may be eligible for Extended Assistance payments to age 21 if he/she meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>✓ Completing secondary education or equivalent program;</li> <li>✓ Enrolled in a post-secondary or vocational education institution;</li> <li>✓ Participating in an activity designed to promote or remove barriers to employment;</li> <li>✓ Employed at least 80 hours per month; or</li> <li>✓ Unable to do the above due to a medical condition.</li> </ul>	<p>Imua Kākou is available to the foster child who is in foster custody or permanent custody when he/she turns 18. If the foster child was 16 or older at the time of the adoption, he/she may be eligible for Extended Assistance payments to age 21 if he/she meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>✓ Completing secondary education or equivalent program;</li> <li>✓ Enrolled in a post-secondary or vocational education institution;</li> <li>✓ Participating in an activity designed to promote or remove barriers to employment;</li> <li>✓ Employed at least 80 hours per month; or</li> <li>✓ Unable to do the above due to a medical condition.</li> </ul>	<p>Yes.</p> <p>Imua Kākou is available to the foster child who is in foster custody or permanent custody when he/she turns 18. If the foster child was 16 or older at the time of the adoption, he/she may be eligible for Extended Assistance payments to age 21 if he/she meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>✓ Completing secondary education or equivalent program;</li> <li>✓ Enrolled in a post-secondary or vocational education institution;</li> <li>✓ Participating in an activity designed to promote or remove barriers to employment;</li> <li>✓ Employed at least 80 hours per month; or</li> <li>✓ Unable to do the above due to a medical condition.</li> </ul>	<p>Yes.</p> <p>Imua Kākou is available to the foster child who is in foster custody or permanent custody when he/she turns 18. If the foster child was 16 or older at the time of the adoption, he/she may be eligible for Extended Assistance payments to age 21 if he/she meets one of the following criteria:</p> <ul style="list-style-type: none"> <li>✓ Completing secondary education or equivalent program;</li> <li>✓ Enrolled in a post-secondary or vocational education institution;</li> <li>✓ Participating in an activity designed to promote or remove barriers to employment;</li> <li>✓ Employed at least 80 hours per month; or</li> <li>✓ Unable to do the above due to a medical condition.</li> </ul>

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<p><b>14. Higher Education</b></p>	<p>If the adoptive parent is not receiving extended adoption assistance, the young adult may receive higher education benefits, if the young adult:</p> <ul style="list-style-type: none"> <li>• is age 18 or older;</li> <li>• is attending an accredited institution of higher learning; and</li> <li>• meets DHS eligibility requirements.</li> </ul> <p>Payments (equal to the amount of the current foster board rate) may be issued between the ages of 18 and 27 years, for a maximum of 60 months.</p> <p>The young adult may not receive adoption assistance and higher education benefits at the same time.</p>	<p>If the legal guardian is not receiving extended permanency assistance, the young adult may receive higher education benefits, if the young adult:</p> <ul style="list-style-type: none"> <li>• is age 18 or older;</li> <li>• is attending an accredited institution of higher learning; and</li> <li>• meets DHS eligibility requirements.</li> </ul> <p>Payments (equal to the amount of the current foster board rate) may be issued between the ages of 18 and 27 years, for a maximum of 60 months.</p> <p>The young adult may not receive permanency assistance and higher education benefits at the same time.</p>	<p>If the permanent custodian is not receiving extended permanency assistance, the young adult may receive higher education benefits, if the young adult:</p> <ul style="list-style-type: none"> <li>• is age 18 or older;</li> <li>• is attending an accredited institution of higher learning; and</li> <li>• meets DHS eligibility requirements.</li> </ul> <p>Payments (equal to the amount of the current foster board rate) may be issued between the ages of 18 and 27 years, for a maximum of 60 months.</p> <p>The young adult may not receive Imua Kakou and higher education benefits at the same time.</p>	<p>If the permanent custodian is not receiving extended permanency assistance, the young adult may receive higher education benefits, if the young adult:</p> <ul style="list-style-type: none"> <li>• is age 18 or older;</li> <li>• is attending an accredited institution of higher learning; and</li> <li>• meets DHS eligibility requirements.</li> </ul> <p>Payments (equal to the amount of the current foster board rate) may be issued between the ages of 18 and 27 years, for a maximum of 60 months.</p> <p>The young adult may not receive Imua Kakou and higher education benefits at the same time.</p>

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<p><b>15. Education and Training Vouchers (ETV)</b></p>	<p>ETV benefits may be issued to a young adult, if the young adult:</p> <ul style="list-style-type: none"> <li>• was adopted at age 16 years or older;</li> <li>• is under age 23;</li> <li>• is attending an accredited institution of higher education; and</li> <li>• meets program criteria.</li> </ul> <p>ETV benefits:</p> <ul style="list-style-type: none"> <li>• are issued to assist the young adult meet the Cost of Attendance (COA);</li> <li>• may not exceed the COA or \$5,000 per school year, whichever is less.</li> </ul> <p>ETV benefits may be received concurrently with extended adoption assistance, Imua Kakou or higher education benefits.</p>	<p>ETV benefits may be issued to a young adult, if the young adult:</p> <ul style="list-style-type: none"> <li>• for whom legal guardianship was awarded to a relative at age 16 years or older;</li> <li>• is under age 23;</li> <li>• is attending an accredited institution of higher education; and</li> <li>• meets program criteria.</li> </ul> <p>ETV benefits:</p> <ul style="list-style-type: none"> <li>• are issued to assist the young adult meet the Cost of Attendance (COA);</li> <li>• may not exceed the COA or \$5,000 per school year, whichever is less.</li> </ul> <p>ETV benefits may be received concurrently with extended permanency assistance, Imua Kakou or higher education benefits.</p>	<p>ETV benefits may be issued to a young adult, if the young adult:</p> <ul style="list-style-type: none"> <li>• was the subject of a Permanent Custody order that was terminated at age 18 years or older;</li> <li>• is under age 23;</li> <li>• is attending an accredited institution of higher education; and</li> <li>• meets program criteria.</li> </ul> <p>ETV benefits:</p> <ul style="list-style-type: none"> <li>• are issued to assist the young adult meet the Cost of Attendance (COA);</li> <li>• may not exceed the COA or \$5,000 per school year, whichever is less.</li> </ul> <p>ETV benefits may be received concurrently with extended permanency assistance, Imua Kakou or higher education benefits.</p>	<p>ETV benefits may be issued to a young adult, if the young adult:</p> <ul style="list-style-type: none"> <li>• was the subject of a Permanent Custody order that was terminated at age 18 years or older;</li> <li>• is under age 23;</li> <li>• is attending an accredited institution of higher education; and</li> <li>• meets program criteria.</li> </ul> <p>ETV benefits:</p> <ul style="list-style-type: none"> <li>• are issued to assist the young adult meet the Cost of Attendance (COA);</li> <li>• may not exceed the COA or \$5,000 per school year, whichever is less.</li> </ul> <p>ETV benefits may be received concurrently with extended permanency assistance, Imua Kakou or higher education benefits.</p>